

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERESA HERRON as Personal
Representative of the Estate of
Kord Kostich, deceased,
Plaintiff,

v.

POLARIS INDUSTRIES, INC.,
Defendant.

Case No.: 19-12357

Nancy G. Edmunds
United States District Judge

Curtis Ivy, Jr.
United States Magistrate Judge

ORDER GRANTING STAY

Plaintiff Teresa Herron filed this matter on August 9, 2019. (ECF No. 1). On February 4, 2020, the case was stayed pending resolution of the plaintiff's related State court action. (ECF No. 23). This case was later reassigned and referred to me for all pretrial matters. (ECF No. 25). The Court held a telephonic status conference with the parties on November 18, 2020, to ascertain the status of the State case.

At the conference and in the motion to extend the stay, plaintiff's counsel indicated the State trial concluded in March, and judgment entered in the defendant's favor on March 25, 2020. The case is currently pending appeal to the Michigan Court of Appeals. (ECF No. 28, PageID.103). Plaintiff's counsel anticipates a re-trial of the matter. In light of the procedural posture of the State case, plaintiff seeks a continuance of the stay for one year from the date of this

Order. Defendant's counsel indicated concurrence in the stay. (*See id.* at PageID.104).

Accordingly, it is **ORDERED** that all proceedings in this matter are **STAYED** for one year from the date of this order pending final resolution of the State court action, or until such time as the State matter is concluded, whichever is sooner. Plaintiff is directed to notify the Court if the State court action concludes prior to the end of the stay.

IT IS SO ORDERED.

The parties to this action may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d).

Date: November 23, 2020

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 23, 2020, by electronic means and/or ordinary mail.

s/Kristen MacKay
Case Manager
(810) 341-7850